

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLONE SYSTEMS, INC.,

Plaintiff,

v.

UPSTATE WHOLESALE SUPPLY INC.
D/B/A BRITE COMPUTERS,

Defendant.

CIVIL ACTION

NO. 21-3194

**STIPULATION AND ORDER TO STAY PROCEEDINGS
PENDING COMPLETION OF SETTLEMENT CONDITIONS**

WHEREAS, Plaintiff Clone Systems, Inc. and Defendant Upstate Wholesale Supply Inc. d/b/a Brite Computers have executed a settlement agreement resolving the claims and counterclaims asserted in the above-captioned case;

WHEREAS, the settlement agreement sets forth certain conditions that must occur before settlement is final;

WHEREAS, the parties anticipate those conditions occurring within ninety days of the date of this Stipulation; and

WHEREAS, the parties intend to promptly file a stipulation dismissing the above-captioned case with prejudice once the necessary conditions have been satisfied.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their undersigned counsel, and subject to approval of the Court, that the above-captioned case is STAYED for ninety days.

Dated: January 21, 2022

/s/ William E. Mahoney, Jr.

William E. Mahoney, Jr.
Samuel E. Paul
STRADLEY RONON STEVENS &
YOUNG, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103
T: (215) 564-8000
F: (215) 564-8120
Email: wmahoney@stradley.com
Email: spaul@stradley.com

*Attorneys for Defendant, Upstate Wholesale
Supply, Inc. d/b/a/ Brite Computers*

/s/ Benjamin N. Simler

Benjamin N. Simler (PA Bar No. 330134)
Tyler B. Burns (PA Bar No. 325660)
Ballard Spahr LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103-7599
Telephone: 215.864.8872
Facsimile: 215.864.8999
simlerb@ballardspahr.com
burnst@ballardspahr.com

-and-

OF COUNSEL:

Richard W. Miller (*pro hac vice*)
Ballard Spahr LLP
999 Peachtree Street NE, Suite 1000
Atlanta, GA 30309
Tel: (678) 420-9300
Fax: (678) 420-9301
millerrw@ballardspahr.com

Attorneys for Plaintiff Clone Systems, Inc.

Dated: 1/25/2022

SO ORDERED:

/s/ MICHAEL M. BAYLSON

The Honorable Michael M. Baylson